

REMARKS

In the Office Action dated October 20, 2004, the Examiner noted that reference character "B" was used in the drawing to designate the images, as well as to stand for the actively stimulated phase in the information value sequence. The drawings and relevant portions of the specification have been amended to use reference numeral 7 to indicate the images, thereby avoiding duplicate use of reference character "B".

Claims 1-7, 9-11 and 13-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brand et al in view of Jesmanowicz et al. Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brand et al and Jesmanowicz et al, further in view of Apkarian et al. Claim 12 was rejected under 35 U.S.C. §103(a) as being patentable over Brand et al and Jesmanowicz et al, further in view of Heid.

In response, Applicant herewith submits a Certified Translation of German Application 101 05 387.8, filed in the German Patent and Trademark Office on February 6, 2001, on which Applicant bases his claim for convention priority under 35 U.S.C. §119. A Certified Copy of this Priority Document was submitted with the original application filing papers, and acknowledgment thereof was made in the Office Action Summary in the October 20, 2004 Office Action.

The Brand et al reference has an effective date for prior art purposes as of its filing date, which is December 21, 2001. By virtue of perfecting Applicant's right to rely on the filing date of the priority application on February 6, 2001, the Brand et al reference is not available as prior art against the subject matter of the present application.

IN THE DRAWINGS:

The figure has been revised to use reference numeral 7, in place of reference character B, to designate the images. A replacement sheet showing this change is attached hereto.

Since all of the rejections of the claims under 35 U.S.C. §103(a) relied on the Brand et al reference as the primary reference, all of those rejections are overcome by the perfection of Applicant's priority claim.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,

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